

## **Frequently Asked Questions about the CPCS Copy Pay Cuts**

Question 1: **Is the Trial Court responsible for the CPCS copy pay cuts?**

Answer 1: **No. The Trial Court is not responsible for the CPCS copy pay cuts; the Legislature is responsible.** The Trial Court does not oversee the rate of compensation for transcripts because it is statutory and set by the Legislature pursuant to Massachusetts General Law Chapter 221 Section 88.

Question 2: **Was the Trial Court aware this statutory change was going to happen?**

Answer 2: **No. The Trial Court was not aware this statutory change was going to happen until it became law.** The law was changed by the passage of outside section 119 as part of the legislative budget process for the fiscal year 2012 General Appropriation Act and no public hearings were held on this issue.

Question 3: **Did the Trial Court request this change?**

Answer 3: **No, the Trial Court did not request this change.**

Question 4: **When did this change become law?**

Answer 4: **July 1, 2011.** This modification became effective on July 1, 2011.

Question 5: **What is the current rate for paper original transcripts ordered by an indigent person or his/her counsel?**

Answer 5: **The current rate is three dollars per page.** The amendment to Massachusetts General Law Chapter 221 Section 88 made no changes to the rate of compensation for the paper original transcript. The rate remains at \$3.00 per page.

Question 6: **What is the current rate for paper copy transcripts ordered by an indigent person or his/her counsel?**

Answer 6: **The current rate is ten cents per page.** The amendment to Massachusetts General Law Chapter 221 Section 88 lowered the rate of compensation for the paper copy transcript to \$0.10 per page by adding the following language: "Additional paper copies, if so requested by an indigent person or counsel for an indigent person, shall be paid at \$0.10 per page."

Question 7: **Do I have to prepare the paper copy transcript if it is requested by an indigent person or his/her counsel?**

Answer 7: **Yes, without exception, you must prepare the paper copy transcript.** Whenever you perform transcription services for an indigent person or counsel for an indigent person paid for by CPCS, you must accept the newly established statutory rate and you must prepare and deliver the original and copy, pursuant to Appellate Rule 8 (b) (3) (iv) Duties of the Transcriber which states: "The transcriber shall prepare an original typed transcript and the requested number of copies, and shall deliver said original to the clerk and all parties who have so requested."

Question 8: **Do I have to accept all transcription assignments sent to me?**

Answer 8: ***No, you do not have to accept any/all transcription assignments sent to you.*** As an Approved Court Transcriber, you are not required to accept any/all transcription assignments sent to you and you can choose not to perform transcription services for indigent persons or counsel of indigent persons paid for by the Committee for Public Counsel Services (CPCS). However, if you choose not to perform transcription services for CPCS, please inform us by email at [ots@jud.state.ma.us](mailto:ots@jud.state.ma.us) so that we can denote that information on the Trial Court List.

Question 9: **Does the rate change apply to transcripts prepared for or ordered by OTS?**

Answer 9: ***No. The rate change does not apply to transcripts prepared for or ordered by OTS, but only applies to transcripts ordered by an indigent person or his/her counsel.*** The current rate for paper original transcripts ordered by OTS remains the same at three dollars per page and for paper copy transcripts ordered by OTS, one dollar per page.